



Fiscal Year 2024 Community Project Funding Summary of Accounts

Introduction to Community Project Funding Requests

Community Project Funding (CPF) request are Congressionally directed grants funded by the annual government appropriations (funding) legislation. This guide provides a summary of the CPF program as it was implemented for Fiscal Year 2024 appropriations. Note that the rules and deadlines for CPF eligibility may change in future years, subject to the decision of the House Appropriations Committee.

The deadline to submit projects to Representative John James is **5:00 PM Eastern Time on Friday, March 17, 2023.** Please Submit our Subcommittee specific request forms to PolicyRepJames@mail.house.gov.

Process for selection

1. Project sponsor applies to Representative James by March 17, 2023.
2. Representative John James selects up to 15 projects to submit to the House Appropriations
3. Committee.
4. Approximately end of June 2023 – the House Appropriations Committee selects a number of the projects submitted by Representative John James to be included in the annual appropriations bills.
 - a. NOTE: Selection of projects is at the full discretion of the House Appropriations Committee.
5. Fall and winter 2023 – The annual appropriations bills containing the projects must pass the House and Senate and be signed into law by the President.
 - a. Please note that for FY23, the final appropriations bill was not agreed upon until five months after the end of the fiscal year.
6. Following passage of the bill into law, the executive branch will release guidance for issuing funding to the projects.
7. Funds will be released over the next several months following the bill's passage

Eligible entities

Only the following entities may apply for Community Project Funding:

- State, local, and tribal governments
- Publicly owned entities (e.g., ports, universities, PUDs, etc.)
- Certain non-profit entities with a quasi-governmental purpose (e.g., Special Districts)
- Non-profit organizations

For-Profit entities are NOT eligible for Community Project Funding.

Community Support

Community engagement and support is crucial in determining which projects are worthy of Federal funding. Only projects with demonstrated community support will be considered. This recommendation builds on past reforms, and applicants will be required to present evidence of community support when submitting the request. Examples of these include, but are not limited to:

- Letters of support from elected community leaders (e.g., mayors or other officials);
- Press articles highlighting the need for the requested Community Project Funding;
- Support from newspaper editorial boards;
- Projects listed on State intended use plans, community development plans, or other publicly available planning documents; or
- Resolutions passed by city councils or boards.

Numerical Limitation on Projects

Each member of Congress is permitted to submit up to 15 projects to the House Appropriations Committee. This limit is set by the committee.

Transparency

Projects are subject to strict transparency and accountability rules. All Members of Congress are required to post all Community Project Funding requests that are made to the committee on their website. The posting must include the name of the proposed recipient, the address, the amount of the request, and an explanation of the purpose and justification for the use of taxpayer funds. Further, Members of Congress and their family cannot have any financial interest in the proposed project.

One-year projects only

Each project request must be for fiscal year 2024 funds only and cannot include multi-year funding.

Limitations on accounts

CPFs will only be funded if they comply with the requirements for specific appropriations accounts. A summary of these accounts can be found on the following pages. Full guidance can be found here: <https://appropriations.house.gov/fiscal-year-2024-member-request-guidance>.

Stewardship Requirements

Funded projects will follow applicable requirements in the authorized programs that support good stewardship of taxpayer dollars. For example, programs may require a non-federal cost share and participation in program audits.

NEW FOR FY24 – Federal Nexus Requirement

In order to ensure a federal nexus exists for each funded project, Congress will only fund projects that are tied to a federal authorization law. Members of Congress must include a written statement describing the federal nexus for each Community Project Funding request. As Congressman John James considers applications, his staff will work with applicants to identify the relevant federal nexus. Projects are encouraged to proactively identify the federal nexus if it is known.

NEW FOR FY24 – No Memorials, Museums, or Commemoratives

Memorials, museums, and commemoratives (i.e., projects named for an individual or entity) are not eligible for Community Project Funding.

NEW FOR FY 24 – Audits and Oversight

The Government Accountability Office (GAO) will conduct an independent audit of a sample of enacted projects and report its findings to Congress. Applicants may be subject to the GAO audit if the project receives funding.

Changes in Eligible Accounts for FY 2024

The House Appropriations Committee has made multiple changes to the eligible accounts.

The following accounts are new accounts for Fiscal Year 2024:

- Department of Agriculture – Rural Development – Rural Utilities Service – Rural Water and Waste Disposal Grants
- NOAA Coastal Zone Management
- Department of Transportation – Port Infrastructure Development Program

- Department of Transportation – Consolidated Rail Infrastructure and Safety Improvements (CRISI)

The following accounts were previously eligible for CPFs but are not eligible in FY 2024:

- Department of Commerce - NIST Construction of Research Facilities – Extramural Construction
- Department of Commerce - NOAA Operations, Research, and Facilities
- Department of Energy
- General Services Administration, Federal Buildings Fund - New Construction, Major Repairs and Alterations and Basic Repairs Account
- National Archives and Records Administration, National Historical Publications and Records Commission
- Small Business Administration - Small Business Initiatives
- Department of the Interior - National Park Service - Save America's Treasures (SAT) Grants
- Land and Water Conservation Fund - Land Acquisitions
- Forest Service - State and Private Forestry
- Department of Labor - Employment and Training Administration - Training and Employment Services
- Department of Health and Human Services - HRSA - Health Facilities Construction and Equipment
- Department of Health and Human Services - Substance Abuse and Mental Health Services Administration (SAMHSA)
- Department of Health and Human Services - Administration for Children and Families (ACF)
- Department of Health and Human Services - Administration for Community Living
- Department of Education - Elementary and Secondary Education - Innovation and Improvement
- Department of Education - Postsecondary Education

Eligible Accounts

Natural Resources Conservation Service (Conservation Operations)

The Natural Resources Conservation Service (NRCS) supports private landowners, conservation districts, and other organizations to conserve, maintain, and improve the Nation's natural resources. Examples of specific objectives include reducing soil erosion, improving soil health, enhancing water supplies, improving water quality, increasing wildlife habitat, and reducing damage caused by floods and other natural disasters.

Applicants are strongly encouraged to provide details on the work to be done, including if the project will conduct surveys, investigations, or research, and if there is a plan to publish the results of any such work. Applicants should also describe any preventive measures to be taken, such as engineering operations, methods of cultivation, or changes in use of land.

For FY24, Congress will only consider projects for funding recipients that are State, local, and Tribal organizations, or public conservation districts. Non-profit recipients will not be considered. House CPFs in the account averaged about \$1.3 million in FY23.

Federal nexus: The House Appropriations Committee suggests referencing the following statute when making the Federal nexus statement: Soil Conservation and Allotment Domestic Act of 1935, 16 U.S. Code sections 590a-590d and 590f-g. Projects are strongly encouraged to ensure their project comply with the requirements of this statute prior to submitting an application.

Department of Agriculture – Agriculture Research Service, Building and Facilities

The Agricultural Research Service (ARS) owns and operates laboratories and facilities across the United States. Many of these laboratories/facilities are decades old, have outlived their functional lifespan, and are badly in need of major repairs, renovation, or replacement. Requests can assist in the acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture. Requests must be for ARS-owned or operated facilities.

Applicants are strongly encouraged to provide details on the research to be conducted, why the research is a high priority, as well as details on the modernization and why it is critical in carrying out the research.

Federal nexus: The House Appropriations Committee suggests referencing the following statute when making the Federal nexus statement: 7 U.S. Code section 2250. Projects are strongly encouraged to ensure their project comply with the requirements of this statute prior to submitting an application.

Department of Agriculture – Rural Development – Rural Housing Service – Community Facilities

Grants to purchase, construct, or improve essential community facilities, to purchase equipment, and pay other related project expenses. Examples of eligible projects include but are not limited to: medical or dental clinics, healthcare facilities, police or fire departments, and public works vehicles.

Priority will be given to essential projects, such as those focused on public health and safety. Any project must serve a rural area as specified in 7 CFR 3570.53 (rural areas including cities, villages, townships and Federally Recognized Tribal lands with no more than 20,000 residents). The applicant's request must demonstrate community support. Applicants should ensure that their request provides the most complete description of the project as possible. Submissions should include details on all proposed use of funds, activities that will occur, timeline, and detailed information on the complete service territory.

Such requests are also subject to cost share requirements specified in 7 CFR 3570.63(b). Please review program regulations carefully. Community Facilities grants cannot be used to pay initial operating expenses or annual recurring expenses, refinance existing debt, pay interest, build or repair facilities in non-rural areas, or pay for construction costs of facilities that will be used for commercial rental space.

The State Rural Development Office is a valuable resource to answer program questions, including eligibility and non-federal cost share requirements. For fiscal year 2023, the average Community Facilities CPF award was about \$1.3 million.

Federal nexus: The House Appropriations Committee suggests referencing the following statute when making the Federal nexus statement: Section 306 of the Consolidated Farm and Rural Development Act, 7 U.S. Code section 1926(a). Projects are strongly encouraged to ensure their project comply with the requirements of this statute prior to submitting an application.

Department of Agriculture – Rural Development – Rural Utilities Service –ReConnect Program

ReConnect broadband pilot grants facilitate broadband deployment in rural areas. Grant funds can be used for the costs of construction, improvement, or acquisition of facilities and equipment needed to provide broadband service to rural areas without sufficient broadband access, defined as 25 Mbps downstream and 3 Mbps upstream.

The area must be rural and lack sufficient access to broadband service. A rural area is any area which is not located within a city, town, or incorporated area that has a population of greater than 20,000 inhabitants. Sufficient access to broadband is defined as greater than 90% of any rural area in which households have fixed, terrestrial broadband service delivering at least 25 Mbps downstream and 3 Mbps upstream. Mobile and satellite services will not be considered in making the determination of sufficient access to broadband.

Stand-alone middle-mile projects are not eligible under the ReConnect Program. However, middle-mile facilities are eligible if they are needed to bring sufficient broadband service to all premises in the area.

Applicants are strongly encouraged to include information in their requests, such as the number of households, businesses, or farms will be served in the area, what the performance of the service to be offered will be, and whether healthcare or educational facilities will be served.

Additionally, when submitting a request, applicants are reminded that all policies and procedures apply, including environmental and related reviews and the non-federal cost share requirement of 25% of the overall project cost. Policies

and procedures can be found at <https://go.usa.gov/xexPT>. For fiscal year 2023, the average ReConnect CPF award was nearly \$1.2 million.

Federal nexus: The House Appropriations Committee suggests referencing the following statute when making the Federal nexus statement: the pilot program established by section 779 of division A of the Consolidated Appropriations Act, 2018 (Public Law 115–141). Projects are strongly encouraged to ensure their project comply with the requirements of this statute prior to submitting an application.

Department of Agriculture – Rural Development – Rural Utilities Service – Distance Learning and Telemedicine Grants

The Distance Learning and Telemedicine program (DLT) helps rural residents better utilize the enormous potential of modern telecommunications and the internet for education and healthcare, two critical components of economic and community development. The DLT program helps rural communities acquire the technology and training necessary to connect educational and medical professionals with students, teachers, and patients in rural areas.

Grants may be used for audio and video equipment, broadband facilities that support distance learning or telemedicine (not actual broadband), computer hardware or network components/software, and acquisition of instructional programing.

Any requests are subject to all regulations governing the program which can be found at 7 CFR Part 1734. The program requires a 15% match that cannot come from another Federal source. Applicants are strongly encouraged to provide as much detail as possible on how the award will be utilized, what equipment of service will be acquired and any information on population(s) served. The program is intended to serve rural areas with populations of 20,000 or less.

The State Rural Development Office is a valuable resource to answer program questions, including eligibility.

Federal nexus: The House Appropriations Committee suggests referencing the following statute when making the Federal nexus statement: Section 2331 of the Food, Agriculture, Conservation, and Trade Act of 1990, 7 U.S. Code section 950aaa. Projects are strongly encouraged to ensure their project comply with the requirements of this statute prior to submitting an application.

Department of Agriculture – Rural Development – Rural Utilities Service – Rural Water and Waste Disposal Grants

The Water and Waste Disposal Grant Program may be used to finance the acquisition, construction or improvement of drinking water sourcing, treatment, storage and disposal; sewer collection, transmission, treatment and disposal; solid waste collection, disposal and closure; and storm water collection, transmission, and closure.

Applicants are strongly encouraged to provide details on the number of households and businesses served and details of the exact work to be completed.

Eligible entities include rural areas and towns with population of 10,000 or less and Tribal lands in rural areas. The account has not been subject to CPFs in the previous years. Potential recipients will be required to provide a 25% non-federal cost share.

Federal nexus: The House Appropriations Committee suggests referencing the following statute when making the Federal nexus statement: Section 306 of the Consolidated Farm and Rural Development Act, 7 U.S. Code section 1926(a)(2). Projects are strongly encouraged to ensure their project comply with the requirements of this statute prior to submitting an application.

National Institutes of Standards and Technology – Scientific and Technical Research

NIST Scientific and Technical Research projects support standards-related research and technology development. Funding must be for activities consistent with, and supportive of, NIST's mission and aligned with one or more of the functions and activities described in section 272 of title 15, United States Code. *Note:* Funding for building construction or renovation projects is not an eligible use of NIST Scientific and Technical Research Community Project Funding.

NOAA Coastal Zone Management

Coastal Zone Management projects support the protection, restoration, and responsible development of our nation's diverse coastal communities and resources. Funding must be for activities consistent with, and supportive of, NOAA's mission and aligned with one or more of the purposes described in the Coastal Zone Management Act of 1972 (16 U.S.C. § 1451 et seq.). Coastal Zone Management projects are subject to any applicable cost-share required by law under the Coastal Zone Management Program.

Department of Justice – Byrne Justice Assistance Program

Byrne Justice projects assist state, local, and Tribal law enforcement efforts to enforce laws, address violent crime, increase prosecutions, improve the criminal justice system (including the correctional system), provide victims' services, and other related activities.

Awarded grants will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide. Below are the links to the Department's guidance and frequently asked questions regarding the Byrne-JAG program, which may help guide you in gauging the eligibility of a proposed Byrne project:

- <https://bja.ojp.gov/program/jag/overview>
- <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/jag-faqs.pdf>

Allowable costs are those costs consistent with the principles set out in 2 CFR Part 200, Subpart E, and those permitted by the grant program's authorizing legislation. Funding must be for activities consistent with, and supportive of, the Office of Justice Programs' mission and aligned with one or more of the purposes described in the Byrne Justice Assistance Grants (JAG) program, section 501 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10152).

Prohibited Uses:

34 U.S.C. 10152(d) provides:

(d) Prohibited uses

Notwithstanding any other provision of this Act, no funds provided under this part may be used, directly or indirectly, to provide any of the following matters:

- (1) Any security enhancements or any equipment to any nongovernmental entity that is not engaged in criminal justice or public safety.
- (2) Unless the Attorney General certifies that extraordinary and exigent circumstances exist that make the use of such funds to provide such matters essential to the maintenance of public safety and good order
 - (A) vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters);
 - (B) luxury items;
 - (C) real estate;
 - (D) construction projects (other than penal or correctional institutions); or
 - (E) any similar matters.

In addition, Congress will not support the use of Byrne Justice Community Project Funding for the following:

- Initiatives that involve the distribution of drug paraphernalia.
- Initiatives that undermine the 2nd Amendment or infringe upon rights guaranteed by the Constitution without due process of law.
- Initiatives that appear to be anti-law enforcement or unrelated to criminal justice.
- Larger projects for the construction or renovation of penal or correctional institutions that will exceed the capability of single-year funding.

In the event of limited funding, Congress will prioritize projects focused on improving the effectiveness of law enforcement, increasing officer safety, curbing the opioid crisis, and other strategic priorities.

Projects with non-profit recipients may be eligible, so long as the purpose is to carry out work that closely aligns with the purposes of the Byrne JAG program. Such projects will be closely examined.

Department of Justice – Community Oriented Policing Services (COPS) Technology & Equipment

Community Project Funding COPS Technology and Equipment projects support state, local, and Tribal law enforcement efforts to develop and procure the technology and equipment needed to respond more quickly and effectively, improve officer safety, increase transparency, and enhance community relations.

Funding must be aligned with the purposes of section 1701(b)(8) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. § 10381(b)(8)). As such, Congress will consider projects to develop and/or acquire technologies and equipment, including interoperable communications technologies, modernized criminal record technology, and forensic technology, to assist State, Tribal, and local law enforcement agencies, including by reorienting the emphasis of their activities from reacting to crime to preventing crime and training law enforcement officers to use such technologies.

Note:

- Eligible recipients for COPS Technology and Equipment Community Project Funding are State, Tribal, and local law enforcement agencies.
- Funding for building construction or renovation projects is not an eligible use of COPS Technology and Equipment Community Project Funding.

NASA Safety, Security, and Mission Services

NASA Safety, Security and Mission Services projects support science education, research, and technology development related to NASA's mission.

Funding must be for activities advancing the purposes described in section 20102 of title 51, United States Code. Projects should focus on science, education, research, and technology development related to NASA's mission.

Note: The following projects will not be considered for NASA Safety, Security and Mission Services Community Project Funding:

- Building construction or renovation projects
- Medical research projects

Army Corps of Engineers / Bureau of Reclamation Water and Related Resources

Applicants are strongly encouraged to consider the following specific questions about the project of interest prior to submitting a Community Project Funding request:

Is the project authorized? Is the scope of work to be funded within existing authorization?

If YES, the project may be eligible as a Community Project Funding request in the Energy and Water Development appropriations bill.

What is the statutory citation?

If the project is an individually authorized project or a project under the Corps of Engineers Continuing Authorities Program, include the statutory citation in the statement of federal nexus.

If the project is authorized in a manner other than an individual project authorization or under the Corps of Engineers Continuing Authorities Program, please alert Rep. John James's staff.

If NO, STOP – the project is not eligible as a Community Project Funding request.

What is the official project name?

What is the fiscal year 2024 capability? This amount is the maximum funding level that will be considered. The existence of a capability amount does not guarantee that funding level – or any funding – will be able to be accommodated in the appropriations bill; it simply indicates the maximum amount that can be considered for inclusion.

FEMA Pre-Disaster Mitigation Grants (PDM)

FEMA's PDM grants assist state, local, tribal, and territorial governments with planning and implementing sustainable, cost-effective measures to provide long-term, permanent risk reduction to individuals and property from future natural hazards, such as floods and wildfires, while reducing reliance on federal funding for future disasters.

For PDM grant requests, the proposed project must meet FEMA's requirements as detailed in the most recent Notice of Funding Opportunity (NOFO). Applicants are encouraged to have consulted with the State Hazard Mitigation Officers prior to submitting the project.

The most recent NOFO can be found here: <https://www.grants.gov/web/grants/viewopportunity.html?oppId=340685>.

For any PDM projects designated for funding in the FY 2024 Homeland Security Appropriations Act, the respective State or Territorial Administrative Agency, or Tribal government, must submit an application to FEMA and serve as the administrative agent for the grant on behalf of the entities responsible for the project (grant subrecipients).

CPF funding in the FY 2023 House bill ranged between \$320,482 and \$10,000,000 for individual PDM grants.

The PDM and EOC grant programs have cost-share requirements. Federal funding is available for up to 75 percent of the eligible activity costs. The remaining 25 percent of eligible activity costs must generally be derived from non-federal sources. The non-federal cost-share contribution is calculated based on the total cost of the proposed activity. For example, if the total cost is \$100,000 and the non-federal cost-share is 25 percent, then the non-federal contribution is \$25,000. For PDM grants, small, impoverished communities are eligible for up to a 90 percent federal cost-share for their mitigation planning and project sub-applications in accordance with the Stafford Act (42 U.S.C. § 5133(a),(h)(2)).

NOTE: Over the past two fiscal years, FEMA found that many CPF requests lacked the necessary details to determine grant eligibility. In addition to the online application form, applicants are highly encouraged to separately email project descriptions for each PDM or EOC request to Rep. John James's staff. For each project description, please include a detailed budget describing how the requested federal funding will be used and confirm the ability of the requesting entity to meet the cost-share requirement.

FEMA Emergency Operations Center Grants (EOC)

FEMA's EOC grants improve emergency management and preparedness capabilities by supporting flexible, sustainable, secure, strategically located, and fully interoperable EOCs with a focus on addressing identified deficiencies and needs. According to the National Fire Protection Association, an EOC is defined as a "facility or capability from which direction and control is exercised in an emergency. This type of center or capability is designated to ensure that the capacity exists for leadership to direct and control operations from a centralized facility or capability in the event of an emergency."

For EOC grant requests, the proposed project must meet FEMA's requirements as detailed in the most recent Notice of Funding Opportunity (NOFO). Applicants are encouraged to have consulted with the State Hazard Mitigation Officers prior to submitting the project.

The most recent NOFO can be found here: <https://www.fema.gov/grants/preparedness/emergency-operations-center>.

For any EOC projects designated for funding in the FY 2024 Homeland Security Appropriations Act, the respective State or Territorial Administrative Agency, or Tribal government, must submit an application to FEMA and serve as the administrative agent for the grant on behalf of the entities responsible for the project (grant subrecipients).

CPF funding in the FY 2023 House bill ranged between \$158,176 and \$3,000,000 for individual EOC grants.

NOTE: Over the past two fiscal years, FEMA found that many CPF requests lacked the necessary details to determine grant eligibility. In addition to the online application form, applicants are highly encouraged to separately email project descriptions for each PDM or EOC request to Rep. John James's staff. For each project description, please include a detailed budget describing how the requested federal funding will be used and confirm the ability of the requesting entity to meet the cost-share requirement.

Environmental Protection Agency – State and Tribal Assistance Grants (STAG)

This account includes funding under the Clean Water State Revolving Fund and the Drinking Water State Revolving Fund. These projects include construction of and modifications to municipal sewage treatment plants and drinking water treatment plants. Similar to past practice, Congress will be limiting STAG infrastructure grants only to projects that are publicly owned or owned by a non-profit entity and that are otherwise eligible for the funding from that state's Clean Water or Drinking Water State Revolving Funds (SRF) loan programs.

When submitting EPA STAG Community Project Funding requests, please be aware of the following guidance:

- **Ban on for-profit recipients and privately-owned projects.** Congress will not fund projects to for-profit entities and privately-owned projects are NOT eligible for infrastructure grants, even if they are otherwise eligible for assistance under a SRF program.
- **State, municipal, local, territorial, or Tribal governmental entities as grantees.** Public entities should be considered as the primary grantees to oversee the completion of the project. For STAG water infrastructure projects, States have Intended Use Plans (IUPs) with drinking water and wastewater projects that have already been vetted by governmental officials.
- **Non-profits as grantees.** Non-profits will be considered on a limited basis at the discretion of the House Appropriations Committee. Non-profit organizations requesting funding will need to provide evidence that the recipient is a non-profit organization as described under section 501(c)(3) of the Internal Revenue Code of 1986. Many water projects often partner with non-profit entities to complete projects. Therefore, the House Appropriations Committee will consider, on a limited basis, projects that are directed to non-profits with an inherently governmental function.
- **Federal Nexus.** Congress will only fund projects with purposes authorized by Federal law:
 - Clean water/wastewater projects: Title VI of the Clean Water Act, 33 U.S.C 1381 et seq.
 - Drinking water projects: Section 1452 of the Safe Drinking Water Act, 42 U.S.C. 300j12.
- **Matching requirements.** There is a minimum 20% cost share requirement for any portion of a project funded through a STAG infrastructure grant and the Congress will not waive matching requirements:
 - For example, a \$1 million project could receive a maximum of \$800,000 from the Federal government, with the remaining \$200,000 the responsibility of the grantee.
 - In almost all cases, other Federal funds cannot be used to meet this 20% cost share. However, assistance provided by a SRF does count towards the project's matching requirement.
 - Recipients must be able to meet matching requirements prior to requesting a project. This does not mean that matching funds must be in-hand prior to requesting a project, but that local officials must have a plan to meet such requirements for such a project to be viable.
- **One-year funding.** Each project request must be for FY 2024 funds only and cannot include a request for multiyear funding.
- **Project Amounts.** Applicants should use the range of project amounts funded in FY 2023 as a general guide when making requests. In FY 2023, most EPA STAG infrastructure projects funded in the House bill ranged from \$45,000 - \$5,000,000. Note that the Congress may consider higher project amounts for fiscal year 2024.

Department of Defense – Military Construction Accounts

Community Project Funding requests must follow the guidelines included in this section. Each project request must be for fiscal year (FY) 2024 funds only and cannot be for multiyear funding.

In addition, requested projects must meet the following criteria:

- Be included on an unfunded requirements/unfunded priorities list (UFR/UPL) from a military service or combatant command or the FY24-FY28 Future Years Defense Program (FYDP).
 - Projects suggested by an installation or unit commander will not be accepted.
- Have at least 35 percent of its design completed.
 - For projects that have not reached 35 percent design, planning and design funding can be requested.
- Able to be obligated in FY24.

- Submitted to the House Armed Services Committee (HASC) for inclusion in the FY24 National Defense Authorization Act or previously authorized.
- Have a DD Form 1391, which is DoD's justification for military construction projects. The Armed Services' Congressional Liaison Offices can help provide these documents.

Construction and Unspecified Minor Construction – Active Components Eligible Community Project Funding requests include both construction and unspecified minor military construction projects for active components in the accounts listed below. An unspecified minor military construction project is a project that has an approved cost equal to or less than \$9,000,000.

- Army
- Navy and Marine Corps
- Air Force and Space Force
- Defense-Wide Agencies (Special Operations Command (SOCOM), Defense Logistics Agency (DLA), etc.)

Construction and Unspecified Minor Construction – Reserve Components Eligible Community Project Funding requests include both construction and unspecified minor military construction projects for Reserve Components in the accounts listed below. An unspecified minor military construction project is a project that has an approved cost equal to or less than \$9,000,000. Note: Some Reserve Component projects require a State funding match. Requesting offices must determine whether the proposed project requires such a match and if so, confirm that the project has current State matching funds. Congress will not waive match requirements.

- Army National Guard
- Air National Guard
- Army Reserve
- Navy Reserve
- Air Force Reserve

Sources of Eligible Community Project Funding Projects

Eligible Community Project Funding requests are those that are submitted to Congress by DoD, the Services, and Combatant Commanders. Sources include:

- **Unfunded Requirements/Unfunded Priorities Lists (UFR/UPL)** – UFRs/UPLs are lists that the Services and Combatant Commanders provide to Congress identifying priority projects that were not included in the President's budget request. UFRs/UPLs are available to Congress within ten days of the release of the President's budget and can be found by contacting the Armed Services' Congressional Liaison Offices.
- **Future Year Defense Program (FYDP)** – The FYDP is a projection of the forces, resources, and programs needed to support DoD operations over a five-year period. The FYDP is released simultaneously with the President's budget request. The FY24-28 FYDP listing the military construction projects that may be eligible for Community Project Funding in FY24 can be obtained through the Under Secretary of Defense (Comptroller) website: <https://comptroller.defense.gov/Budget-Materials/>.

Department of Transportation – Transit Infrastructure Projects

Transit Infrastructure Projects are public transportation capital projects eligible under chapter 53 of title 49 of the United States Code. Eligible capital projects are described under section 5302(4) of title 49, United States Code. All projects must be:

1. Transit capital projects or project-specific planning/design for a transit capital project;
2. Supported by the state, local governmental authority, or Tribal government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement; and
3. Sponsored by designated recipients, States (including territories and the District of Columbia), local governmental authorities, and/or Indian tribes.

Public transportation or transit is defined in section 5302(15) and (22) of title 49, United States Code, as regular, continuing shared-ride surface transportation that is open to the general public or open to a segment of the general public defined by age, disability, or low income, and does not include intercity passenger rail transportation, intercity bus

service, charter bus service, school bus service, sightseeing service, courtesy shuttle service for patrons of one or more specific establishments, or intra-terminal or intra-facility shuttle services.

Congress will not fund activities that are administrative in nature even if they are eligible expenses under the statutory citation. These include but are not limited to general operating expenses, joint development projects, and planning activities authorized under sections 5303, 5304, and 5305 of title 49, United States Code.

Additionally, most projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act.

Congress will continue to treat the Capital Investment Grants (CIG) program as programmatic requests and will not fund CIG projects under Transit Infrastructure Projects. Any projects for which the sponsor is seeking or will seek a CIG grant will not be considered. Applicants will be required to provide the state, tribal or territorial transportation improvement plan (STIP) or a transportation improvement plan (TIP) identification number.

Department of Transportation – Highway Infrastructure Projects

Highway Infrastructure Projects are capital projects eligible under title 23 of the United States Code. Eligible projects are described under Section 133(b) of title 23, United States Code, as amended by title III of division A of the Infrastructure Investment and Jobs Act. Tribal and territorial capital projects authorized under chapters 1 and 2 of title 23, United States Code, are also eligible.

All projects must be:

1. Capital projects or project-specific design for a capital project.
2. Supported by the state or Tribal government that would administer the project. Inclusion on a Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) would satisfy this requirement.
3. Administered by public entities or Tribal entities.

Congress will not fund activities that are administrative in nature even if they are eligible expenses under the statutory citation. These include general operating expenses, and planning activities required under sections 134 and 135 of title 23, United States Code.

Applicants should be aware that Highway Infrastructure Projects have a non-Federal cost share calculated on a sliding scale. The cost-share requirements are defined in statute and vary based on activity, location, and other factors. For more information, visit: <https://www.fhwa.dot.gov/fastact/factsheets/federalsharefs.cfm>.

Additionally, most projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act.

Applicants will be required to provide the state, tribal or territorial transportation improvement plan (STIP) or a transportation improvement plan (TIP) identification number.

Department of Transportation – Airport Improvement Program (AIP)

AIP Community Project Funding requests are intended to enhance airport safety, capacity, and security, and environmental concerns.

All projects must be:

- AIP eligible in accordance with 49 U.S.C. 47100 et seq., and FAA policy and guidance.
- Included in the FAA's National Plan of Integrated Airport Systems (NPIAS).
- Supported broadly by local stakeholders, including residents, businesses, and elected officials.
- Administered by an airport and/or airport sponsor.

Federal requirements. Projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act. The potential grantee should reach out to FAA Regional District Offices to ensure that projects will be in compliance with these mandates.

Cost share. For large and medium primary hub airports, the grant covers 75 percent of eligible costs (or 80 percent for noise program implementation). For small primary, reliever, and general aviation airports, the grant covers a range of 90-95 percent of eligible costs, based on statutory requirements. Specific cost share requirements should be understood by the grantee, and verified by the FAA Regional District Office, along with other requirements to receive FAA funding.

Department of Transportation – Port Infrastructure Development Program

Port Infrastructure Development Program projects are projects eligible under Section 54301 of title 46, United States Code, as amended by title XXXV of division C of the National Defense Authorization Act for Fiscal Year 2022.

Congress will only fund projects that meet eligibility criteria and will be administered by eligible applicants, as described by statute. As a reminder, funding may not be directed to for-profit recipients. Due to the limited amount of total CPF funding, priority will be given to projects at small inland river and coastal ports and terminals, as described in 46 U.S.C. 54301(b), and to discrete, smaller-scale projects at larger ports and intermodal connections to ports.

This program has a statutory non-Federal matching requirement, with potential exceptions for small and rural area ports. Applicants should review 46 USC sections 54301(a)(8) and 54301(b) for more information on these cost-share requirements before submitting requests for funding. Note that recipients are also required to comply with reviews and audits from the Department of Transportation.

Additionally, these projects may be subject to various Federal requirements such as Buy America and the National Environmental Policy Act. Applicants are strongly encouraged to reach out to their local port authorities and the Maritime Administration's Gateway Offices to help determine the eligibility and viability of projects.

Department of Transportation – Consolidated Rail Infrastructure and Safety Improvements (CRISI)

Rail infrastructure projects are capital projects eligible under the CRISI program authorized in section 22907 of title 49, United States Code. CRISI provides grants to assist in financing the cost of improving passenger and freight rail transportation systems. All projects must be:

- Rail capital projects or systems planning for a rail capital project;
- Supported by the state, local governmental authority, or Tribal government that would administer the project; and
- Sponsored by public entities or Tribal entities.

This is a new Community Project Funding account for Fiscal Year 2024. Congress will not fund activities that are administrative in nature even if they are eligible expenses under the statutory citation. These include but are not limited to general operating expenses, rail-related research, and workforce activities. Projects will be subject to various Federal requirements such as competition in contracting, Buy America, and the National Environmental Policy Act.

HUD Community Development Fund – CDBG: Economic Development Initiative (EDI)

EDI Community Project Funding within the Community Development Fund account of the HUD title is intended for economic and community development activities, consistent with statutory and additional requirements.

Project requests for the FY24 Economic Development Initiative program must be eligible under one or more of the following criteria of the Community Development Block Grant (CDBG) program: 42 U.S.C. 5305(a)(1), 5305(a)(2), 5305(a)(4), 5305(a)(5); which are as follows—but limited to—land or site acquisition, demolition or rehabilitation; blight removal; and construction and capital improvements of public facilities, except for “buildings used for the general conduct of government.” Programmatic and operational expenses are not eligible.

- **5305(a)(1)** – the acquisition of real property (including air rights, water rights, and other interests therein) which is (A) blighted, deteriorated, deteriorating, undeveloped, or inappropriately developed from the standpoint of sound community development and growth; (B) appropriate for rehabilitation or conservation activities; (C) appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of

open spaces, natural resources, and scenic areas, the provision of recreational opportunities, or the guidance of urban development; (D) to be used for the provision of public works, facilities, and improvements eligible for assistance under this chapter; or (E) to be used for other public purposes;

- **5305(a)(2)** – the acquisition, construction, reconstruction, or installation (including design features and improvements with respect to such construction, reconstruction, or installation that promote energy efficiency) of public works, facilities (except for buildings for the general conduct of government), and site or other improvements;
- **5305(a)(4)** – clearance, demolition, removal, reconstruction, and rehabilitation (including rehabilitation which promotes energy efficiency) of buildings and improvements (including interim assistance, and financing public or private acquisition for reconstruction or rehabilitation, and reconstruction or rehabilitation, of privately owned properties, and including the renovation of closed school buildings); and
- **5305(a)(5)** – special projects directed to the removal of material and architectural barriers which restrict the mobility and accessibility of elderly and handicapped persons.

Given that projects must meet these authorized purposes of the CDBG program, the Congress expects to fund the following types of projects and other similar projects:

- Water or sewer infrastructure projects, which are not otherwise eligible to be funded as CPFs in EPA STAG (Interior bill) or Rural Water and Waste (Agriculture bill);
- Local road infrastructure, which is not otherwise eligible as a CPF in Highways (in this bill);
- Streetscape improvements;
- Public or non-profit housing rehabilitation, housing development financing, residential conversions, and neighborhood revitalization projects, which would increase housing supply and/or improve housing affordability in the local community;
- Projects with a clear economic development benefit, such as workforce training centers and manufacturing incubators;
- Projects that meet a compelling local need consistent with the statutory purposes. For example, food banks in economically disadvantaged neighborhoods, youth and senior centers, and multipurpose community centers.

The following types of projects are not eligible for CPF funding:

- Museums, commemoratives, memorials;
- Swimming pools, water parks, golf courses;
- Healthcare facilities;
- Venues strictly for entertainment purposes – e.g., theaters and performing arts venues.
- Due to the statutory restriction on using funds for “buildings for the general conduct of government,” things like courthouses and town halls cannot be funded.

NOTE: Projects submitted under 42 U.S.C. 5305(a)(1)(C) will be disfavored if the only or primary purpose of the project is “beautification” or historic preservation, without evidence of other community development or economic development benefits.

Reminder on Environmental Review Requirements: EDI projects, like all projects funded by HUD, are subject to requirements under the National Environmental Policy Act (NEPA), HUD’s NEPA-implementing regulations at 24 CFR Part 50 or 24 CFR Part 58, and all applicable federal environmental and historic preservation laws, regulations, and Executive Orders. An environmental review must be completed before HUD funds and new commitments of non-HUD funds can be used on a project (24 CFR 58.22).

Reimbursement: EDI projects are not eligible for the reimbursement of expenses for soft costs (planning, administrative) incurred prior to the completion of a grant agreement between HUD and the grantee; a grant agreement and a completed environmental review are necessary for reimbursement of hard costs (construction activities).